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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,038	03/18/2004	Tomohiro Mori	119134	5624

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EXAMINER	
RENDON, CHRISTIAN E	
ART UNIT	PAPER NUMBER
3714	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/803,038	MORI ET AL.	
	Examiner	Art Unit	
	CHRISTIAN E. RENDÓN	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 July 0808*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16 and 19-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16 and 19-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 1, 8, 15 & 16 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling since the limitation "immediately before the first object starts moving" is not supported by the specification. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

In response to the Examiner's 112 1st paragraph rejection, the applicant has relies on two different sections of the specification to support their case.

> *In FIG. 2, the player character P executes an upper kick, hitting a head of the enemy character EI. The present embodiment applies to the enemy character E1 having received a blow from the player character P, a visual effect as follows. Here, as a matter of practical convenience, description is made with an example of the player character P executing an upper kick. However, needless to say, other technique may be applied in the same way.*
>
> *[Description of principle of visual effect display]*
> *FIGS. 3A and 3B are views illustrating a principle of a visual effect display in the present embodiment. In the present embodiment, the visual effect display is applied if it is judged that a predetermined motion start event has occurred on a designated object to be an effect subject. The subject of the visual effect display is the enemy character E, and the judgment that the kick of the player character P has hit the enemy character E corresponds to the occurrence of the motion start event. As shown in FIGS.3A and 3B, an effect object group A is displayed as the visual effect display in a direction where the enemy character is blown away (backwards) by a kick at the moment that the kick hits the enemy character E. (pg. 19, line 7–pg. 20, line 4)*

This excerpt is read by the Examiner as describing the use of a hit detection program in a video game and displaying the animation of a virtual character reacting to a hit.

> *Therefore, by adding an effect expression during the limited time from right before the object starts the motion to right after the object has started the motion, it is possible to make an impression more effectively. (pg. 8, lines 10-13)*

The second excerpt is read by the Examiner to also describe the animation of a character attacking another (right before the object starts the motion) with the motion of the attack or a 'POW' effect (effect expression) and an animation of the character's reaction to the attack (right after the object has started the motion). The claim language in question states "effect objects provided three-dimensionally at the

side that the first object is going to move from a location of the first object immediately before the first object starts moving." In other words, the language describes the projection of a character's motion or future movement before the actual motion starts. Therefore the Examiner disagrees with the belief these statements from the specification supports the projection of a character's motion.

Claim Rejections - 35 USC § 101

Claims 1, 8, 15-16 and 19-20 are rejected under 35 U.S.C 101 because the disclosed invention is inoperative and therefore lacks utility. The applicant has failed to disclose if the claimed program is stored in a computer readable storage medium. The Examiner would like to point out that the claims are interpreted in light of the specification; however limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore the claim language needs to clearly stating the program is stored on storage medium such as a DVD to prevent a 101 rejection. Once again, independent claims regarding computer programs must clearly state being stored in a computer readable storage medium.

Claim Rejections - 35 USC § 103

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Street Fighter Alpha 3 (http://www.gamefaqs.com/console/psx/file/564869/323 and http://www.youtube.com/watch?v=WEFUBAj1aEE) in view of Dichter (US 6,847,364 B1).

1. The several claim limitations are taught by an animation found in *Street Fighter Alpha 3 (SF3),* thus a video from youtube.com depicting said animation is considered in the office action. In addition, a file from gamefaqs.com is included for further description of said animation.

2. The two dimensional fighting game *Street Fighter Alpha 3* (SFA3) is the third installment in the Alpha series that introduced several modifications and expanded on the "Super Combo System" introduced in *Street Fighter 2: Super Turbo*. The character called M. Bison received a considerable number of modifications upon his introduction to the Alpha series. The character model was redesigned

and several new moves were added into his skill set. The teleportation move allowed the player to move closer or farther away from their opponent and the distance was based on the type of button (Punch/Kick) that completed the sequence. The text file is included to describe the teleportation moves and the video reference is provided to demonstrate the visuals of said move. The animation sequence in question begins 11:58 minutes into the video and ends at the 12 minute mark and another teleportation occurs at 12:09 until 12:12. The visuals of a teleportation move begin with the Bison character model changing into a "blue blur" version then disappearing from the gaming environment. Bison then reappears behind Akuma as the "blue blur" version then changing back into the regular character model. Therefore the prior art's "blue blur" or teleportation discloses the following limitations:

- **"judging whether to start a motion of a first object placed in a virtual space in the game"**
  Which is determined by the proper completion of the button sequence for a teleportation,
- **"judging to start a motion of a first object, automatically controlling the motion of the first object in a predetermined moving sequence"**
  In other words the depiction of an animation,
- **"displaying a plurality of effect objects at the side that the first object is going to move from a location of the first object before the first object starts moving"**
  The first "blue blur" effect of the animation indicates the beginning of a teleportation or the words of the claim limitation a 'going to move' event,
- **"and making the plurality of effect objects sequentially disappear in proximate order from the location of the first object at a time in which it is judged to start the motion of the first object"**
  The visually effects of the "blue blur" disappearing,
- **"after the first object starts moving wherein each of the plurality of effect objects shows at least a respective sequence of a part of the first object in a continuous motion"**

The reappearance of another "blue blur" in a different location that solidifies into a playable Bison model is considered an effect object that shows a respective sequence (solidifying) in a continuous motion (appearing in a different location).

3. Regarding claims 1, 7-8, 12 and 15-16, the prior art also discloses an animation of a predetermined viewpoint in a virtual space, however fails to disclose three-dimensional objects. The fifth generation of video game consoles (1993 – 2002) was powerful enough to render polygons, causing a transition to fully three dimensional (3D) games. Dichter discloses a method for creating a motion illusion of a 3D object by drawing multiple images of the object and varying its attributes, such as, transparency, color, intensity, reflectivity, fill, texture, size, position and/or depth (Dichter: abstract). In other words, the art discloses how to create a 3D motion blur to indicate the velocity within a trail of movement. Therefore Dichter provides the knowledge one of ordinary skill requires for the evolution of an essential feature, Bison's blue blur effect during a teleportation, of SFA3 into 3D as a motion illusion that stays in place.

4. Additionally, a player usable character model in a fighting game has a plurality of action-receiving parts. The Examiner views the completion of the correct button sequence as a satisfaction of a predetermined action-receiving condition. Furthermore, the Office would like to clearly state the definition of animation, "the technique of filming a sequence of drawings or positions of models to create an illusion of movement" (Compact Oxford Dictionary, 3rd edition, Oxford University Press, July 2005). Therefore three-dimensional animation occurs through the use of a model and a 'frame' of this animation is "a single complete picture in a series forming a cinema or video film" (Compact Oxford Dictionary, 3rd edition, Oxford University Press, July 2005) or video game.

5. Regarding claims 2-4 and 9-11, the Bison teleporting behind an opponent reads on the claim language. During this type of teleportation, the first location is considered behind the final location. Therefore the first "blue blur" sequence is disappearing at a location behind or on the rear side of the first object or Bison with respect to the moving direction or behind the opponent. The disclosed "blue

blur" disappears sequentially as time progresses through a decrease in the object's transparency and color (Dichter: col. 6, lines 52-61).

6. Regarding claims 5-6, both prior arts disclose calculating a plurality of locations where the first object will pass (Dichter: fig. 4; 61, 67-69) that will allow the image to be seen from different viewpoints compared to the predetermined viewpoint.

7. Regarding claims 13-14 and 19-20, the version of SFA3 that is used as prior art was released on a CD-ROM for the Sony PlayStation.

8. Regarding claims 21-24, the prior art of SFA3 discloses a teleportation move for the character M. Bison. When properly executed a player could escape an attack by teleporting away from their opponent (Bison FAQ: Teleport Back). Therefore the Examiner views Bison as an attacked object and the effects are behind Bison with respect to his final position if he teleports behind the attacker.

Conclusion

Other Quality Art: Pearce et al. US 6,211,882 B1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTIAN E. RENDÓN whose telephone number is (571)272-3117. The examiner can normally be reached on 9 - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/
Supervisory Patent Examiner, Art Unit 3714

/CHRISTIAN E RENDÓN/
Examiner Art Unit 3714

CER